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**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DILKHAYOT KASIMOV,	:	NO. 1:24-CV-01352
Petitioner	:	
	:	
v.	:	(Kane, J.)
	:	(Bloom, C.M.J.)
M. ARVIZA, WARDEN, FCI	:	
ALLENWOOD MEDIUM	:	
Respondent	:	Filed Electronically

OBJECTIONS TO REPORT AND RECOMMENDATION

Pursuant to Middle District of Pennsylvania Local Rules 72.3 and 72.4, Respondent Warden Arviza objections to the April 8, 2025 Report and Recommendation (the “Report”) as follows:

1. The Report mistakenly recommends that Petitioner Dilkhayot Kasimov’s petition for writ of habeas corpus be granted. *See id.*
2. The Report incorrectly relies on Mr. Kasimov’s post hoc request for a video that is irrelevant to his actions in his cell.
3. Alternatively, a remand is not necessary, as Respondent provides a declaration from the disciplinary hearing officer providing that the Mr. Kasimov never requested a video review and even if he did the video would show nothing exculpatory. *See* 04/29/2025 Declaration of David Lupotsky, DHO (Ex. 1) ¶¶ 14, 23-24.

WHEREFORE, This Court should sustain the objection and deny the instant petition.

Respectfully submitted,

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Acting United States Attorney

s/ Michael J. Butler
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Dated: May 6, 2025

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CERTIFICATE OF SERVICE VIA ECF

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on May 6, 2025, she served a copy of the attached

OBJECTIONS TO REPORT AND RECOMMENDATION

by electronic service pursuant to Local Rule 5.7 and Standing Order 04-6, ¶12.2 to the following individual(s):

Kathy Manley, Esquire
26 Dinmore Road
Selkirk, NY 12158
Mkathy1296@gmail.com

The Honorable Daryl F. Bloom
Chief Magistrate Judge

s/ Maureen Yeager
Maureen Yeager
Paralegal Specialist